

Minutes of the
Idaho Real Estate Appraiser Board
July 24, 2000

The Idaho Real Estate Appraiser Board meeting was called to order at 9:08 a.m., Monday, July 24, 2000 at the Bureau of Occupational Licenses, Owyhee Plaza, 1109 Main Street, Suite 220, Boise, Idaho.

Roll Call: Paul Morgan, Chairman
 Doyle Pugmire, Vice Chairman
 Ruby Stroschein, Secretary
 Gordean Briggs, Board Member
 Stanley Moe, Board Member

Bureau Staff: Thomas E. Limbaugh, Bureau Chief
 Roger Hales, Administrative Attorney
 John Kersey, Chief Investigator

Minutes

Moved by Doyle Pugmire, seconded by Ruby Stroschein and carried that the minutes of the May 9, 2000 board meeting be approved.

A conference call was tentatively scheduled for June 16, 2000, however, a quorum of the board could not be confirmed.

Executive Session

Moved by Doyle Pugmire, seconded by Stanley Moe and carried that the Board go into executive session at 8:35 a.m.

Moved by Ruby Stroschein, seconded by Gordean Briggs the Board comes out of executive session at 9:00 a.m.

Roger Hales informed the Board that their attorney had rejected the reciprocity agreement between Idaho and Utah and minor revisions have been made to the agreement. This agreement is now ready for the Board's signature along with an agreement from the state of Oregon.

Reciprocity between California and Idaho was discussed. It was the decision of the Board that because California's educational courses are so different from Idaho, they will continue to review their educational courses and continue to license by endorsement.

The Board requested that Roger Hales contact the state of Nevada regarding reciprocity between this state and Idaho.

File #REA1199MR

Applicant file #REA1199MR met with the Board regarding their pending certified general appraiser pending application. The applicant requested his classification be changed from certified general to certified residential and also provided the Board with further information regarding his application.

Financial Report

Mr. Limbaugh reported to the Board that their current fund balance is \$115,897. Mr. Limbaugh informed the Board that the Bureau is working on ways in which to apply more direct expenses to all the Boards.

For FY2002 budget the Board requests enough money be available to send USPAP to all licensees and adequate money available for proreview.

Moved by Gordean Briggs, seconded by Stanley Moe and carried that the annual renewal fee be increased to \$250.00; the application fee be increased to \$250.00 and the original license fee be increased to \$125.00. The Board requests the Bureau to proceed with the adoption of rules for these fee increases.

USPAP

The mailing of USPAP 2001 to all licensees was discussed. Mr. Limbaugh will check, if money is available, the 2001 USPAP will be mailed to in state licensees.

Moved by Stanley Moe, seconded by Ruby Stroschein and carried to send 2001 USPAP at no cost to in state licensees, subject to Mr. Limbaugh's approval that funds are available to send.

The Board will add to their newsletter that the 2002 USPAP will be available at the Bureau office for a fee of \$15.00. This information will be added to the renewal and licensees advised that they can send the \$15.00 along with their renewal fee to purchase the 2002 USPAP.

Complaint Report

John Kersey reported that to date twelve (12) complaints have been received for the year 2000. Of those, one (1) was withdrawn by the complainant. Six (6) are from anonymous sources the remaining five (5) are signed complaints.

Forty-six (46) complaints were received for 1999. Twenty-six (26) remain under investigation and/or legal review.

Thirty-seven (37) complaints were received during 1998. Twenty-three (23) remain under investigation or legal review.

Regarding 1997 thirty-two (32) complaints were received, fifteen (15) remain under investigation or legal review.

Regarding 1996 a total of forty-four (44) complaints were received. Four (4) complaints are under legal review pending formal action.

Fifteen complaints have been scheduled for Board member review. Of those seven (7) have been reviewed and the appropriate recommendations made.

Executive Session

Moved Ruby Stroschein, seconded by Gordean Briggs and carried that the Board go into executive session to discuss possible litigation and what public records may be exempt. The time being 10:10 a.m.

Moved by Gordean Briggs, seconded by Doyle Pugmire and carried the Board comes out of executive session at 10:20 a.m.

Moved by Gordean Briggs, seconded by Stanley Moe the Board enter into a Stipulation and Consent Order with File #'s REA-L2C-03-97-028 and REA-L3C-03-98-011 in which his license being suspended for six (6) months with three (3) months stayed, administrative fine of \$1,000 and investigative costs and attorney fees of \$250.00 and one (1) year probation. At the conclusion of the one-year probationary period Mr. Hopkins may request from the Board reinstatement of his license without further restrictions. Doyle Pugmire recuses himself from this motion.

Moved by Gordean Briggs, seconded by Doyle Pugmire that the Board accepts the Stipulated Reprimand and Final Order against Gregory Tye, LRA-233 in which the licensee agrees to pay an administrative fine of \$500.00 and investigative and attorney fees of \$250.00 and attend fifteen (15) hour USPAP course and is placed on ninety (90) days probation. Ruby Stroschein recused herself from this motion.

These disciplinary actions will be reported in the newsletter. The Bureau is working on a link on the website listing disciplinary actions taken for all the boards in the bureau. However, are encountering problems that have delayed this.

Moved by Ruby Stroschein, seconded by Stanley Moe and carried that the Board approves the following recommendations as presented by Kirsten Wallace, Deputy Attorney General:

Case #1 REA-L2-03-99-038 File closed without further action.

Case#2 REA-P2A-02B-98-037 Complaint dismissed, closure letters were sent.

Case #3 REA-P4B-03-98-013 Complainant withdrew complaint and a closure letter was sent cautioning the respondent to adhere to the confidentiality and ethics provisions of USPAP and to avoid suggesting other lenders when out on an appraisal assignment.

Case #4 REA-L3-01-99-022 Follow-up investigation is being conducted.

Proposed Law Change

Moved by Gordean Briggs, seconded by Ruby Stroschein and carried that Roger Hales prepare a proposed law change that will allow the Board to adopt a rule to register trainees.

Executive Session

Moved by Gordean Briggs, seconded by Ruby Stroschein and carried that the Board go into executive session to discuss possible litigation. The time being 10:50 a.m.

Moved by Ruby Stroschein, seconded by Doyle Pugmire and carried the Board comes out of executive session at 11:00 a.m.

Moved by Ruby Stroschein, seconded by Doyle Pugmire that Roger Hales send a letter to applicant REA0699EA advising them that the Board accepts their educational courses submitted and request submission of three (3) current appraisal reports that are dated after May, 2000 for their review.

Advalorem Guidelines

Ruby Stroschein presented the advalorem guidelines to the Board. Moved by Gordean Briggs, seconded by Doyle Pugmire and carried that the Board adopts the advalorem guidelines as the criteria for mass appraisal of property. These guidelines will be in the newsletter and also will be mailed out as part of the application packet.

Mykut Real Estate School/The Appraisal School of Washington

The Mykut Real Estate School/The Appraisal School of Washington submitted request for approval of the course Basic Principles of Appraising. This course was reviewed and approved by the Education Committee Chair Ed Muehlbach. The Board agrees with Mr. Muehlbach's recommendation and approves this course for a period of two (2) years.

Wall Plaque

Ruby Stroschein will purchase a wall plaque for Ed Morse's term on the Board.

Newsletter

Ruby Stroschein will complete a draft of the newsletter and present it for board approval at the September 18, 2000 board meeting.

Challenge Examinations

Information received from Dennis Greene of the Appraisal Subcommittee regarding challenge examinations which states that agencies may grant credit for courses where the applicant obtained credit from the course provider by challenge examination without attending the course, provided that such credit was granted by the course provider prior to July 1, 1990. The Board has accepted this policy.

Distance Education

Information received from the Appraisal Subcommittee regarding the acceptance of distance education for initial licensure and continuing education was reviewed. Moved by Gordean Briggs, seconded by Stanley Moe and carried to add to the Board Policy Manual that distance education courses for initial licensure/certification must provide interaction between the learner and instructor, include testing, and must meet Idaho's requirement that the course must be at least 15 hours in length. USPAP courses must still be actual on site classroom hours.

Correspondence from Jeff Schurman

The Board reviewed correspondence from Jeff Schurman regarding automated valuation model technology. The Board requests that Roger Hales reply to this letter, sending Mr. Schurman a current law and rules booklet referring him to the section of the law which reference what an appraisal is, and advise Mr. Schurman that his activities in Idaho must be in compliance with the laws and rules of the state of Idaho.

Election of Officers

Moved by Ruby Stroschein, seconded by Gordean Briggs and carried that Doyle Pugmire serve as Chair of the Board; Ruby Stroschein serve as Vice Chairman; and Gordean Briggs serve as Secretary.

Time and Place of Next Board Meeting

The next board meeting will be held on September 18, 2000 at the Bureau office and will begin at 8:00 a.m.

Applications Reviewed

The Board approved two (2) applications for certification/licensure without examination one (1) application for examination.

Meeting adjourned at 3:15 p.m.

Approved 9/18/00